

### **REMARKS**

Claims 2, 3, 6-18, 20-24, 26-29 and 35-37 are presently pending in the application. In this paper, Claims 1, 3-5, 19, 25 and 30-34 have been cancelled, while Claims 2, 6-9, 12, 17, 20-24 and 26 have been amended.

The Examiner has rejected Claims 1-34 in the Office Action mailed September 21, 2004. Applicant respectfully traverses the rejection.

### **DOUBLE PATENTING**

Applicant has filed contemporaneously with this response, a Terminal Disclaimer obviating the Examiner's double patenting rejection.

### **REJECTION UNDER 35 U.S.C. § 102**

The Examiner has rejected Claims 25-29 under 35 U.S.C. § 102(b) as being anticipated by Zheng et al. (U.S. Pat. No. 4,753,226). Applicant respectfully traverses the rejection, but notes that it is now moot in light of the cancellation of Claim 25. Claims 26-29 now depend from new Claim 37, which depends from the subject matter deemed allowable by the Examiner.

### **REJECTION UNDER 35 U.S.C. § 103**

The Examiner has rejected Claims 1-3, 6 and 7 under 35 U.S.C. § 103(a) as being unpatentable over Zheng et al. (U.S. Pat. No. 4,753,226) in view of Curless et al. (U.S. Pat. No. 3,866,604). Applicant respectfully traverses the rejection, but notes that

the rejection is moot now that Claim 1 has been cancelled. Claims 2, 3, 6 and 7 now depend from new Claim 35, which includes allowable subject matter.

Similarly, the Examiner has rejected Claims 12-16 and 19-24 under 35 U.S.C. § 103(a) as being unpatentable over Zheng et al., as modified by Curless et al., in view of Roensch (U.S. Pat. No. 2,230,068). Applicant respectfully traverses the rejection, but notes that the rejection is moot in light of the dependency of Claims 12-16 from new Claim 35, which incorporates allowable subject matter, and the cancellation of Claim 19. Claims 20-24 now depend from new Claim 36, which depends from Claim 35, which includes subject matter deemed allowable by the Examiner.

#### **ALLOWABLE SUBJECT MATTER**

Claim 18 should be in condition for allowance in light of the terminal disclaimer filed contemporaneously herewith. Claims 4, 5 and 8-11 should be in condition for allowance in light of their dependency from new Claim 35, which includes subject matter deemed allowable by the Examiner.

#### **ELECTION / RESTRICTIONS**

The Examiner has found Applicant's traversal of the election requirement unpersuasive. Nonetheless, Applicant maintains that the election is improper. However, Applicant has cancelled previously withdrawn Claims 30-34 without prejudice to prosecute these claims in a continuation application.

**CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: \_\_\_\_\_

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By: \_\_\_\_\_

Michael Malinzak Reg. No. 43,770

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

MAM/ca